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L.M. Morgan  
3711  
10/18/01

FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP

PATENT TRADEMARK AND COPYRIGHT LAW

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REGISTERED PATENT AGENT  
THOMAS TILLANDER  
ALBERT P. SHARPE, III  
1959-2001

\*NOT ADMITTED IN OHIO

October 4, 2001

Richard M. Klein  
[RKlein@faysharpe.com](mailto:RKlein@faysharpe.com)

**CONFIRMATION COPY**

**VIA FACSIMILE  
CONFIRMATION COPY BY MAIL**

LaShawn Morgan  
U.S. Patent and Trademark Office  
Washington, D.C. 20231

RE: U.S. Patent Application Serial No. 09/776,278  
For: **IMPROVED MULTI-LAYER GOLF BALL**  
Attorney Docket No. P-3724-2-F1-C1-C1  
Our Reference No. SLD 2 0035-3-3-1-1-1

Dear Ms. Morgan:

It is our understanding, that the U.S. Patent and Trademark Office believes that a deficiency may exist in the Terminal Disclaimer that we submitted on September 19, 2001 concerning the above-identified U.S. Patent application. Evidently, the Terminal Disclaimer indicated that fees associated with the filing of the Disclaimer should be charged to Account No. 17-0150. I, Richard M. Klein, as an agent for Spalding Sports Worldwide, Inc. executed the Terminal Disclaimer. However, according to your accounting records, I am not authorized to charge any fees to Spalding's Account No. 17-0150. In order to correct this deficiency, I have included herewith a new page 4 wherein I have authorized that any fees concerning the Terminal Disclaimer should be charged to our firm's account, i.e. Account No. 06-0308. This we believe, should alleviate the deficiency as previously noted by the U.S. Patent and Trademark Office.

LaShawn Morgan  
U.S. Patent and Trademark Office  
October 4, 2001  
Page 2

Kindly review the above information and the attached materials, and if you have any further questions concerning the same, please feel free to contact us at your convenience.

Very truly yours,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

A handwritten signature in black ink, appearing to be the initials 'R' followed by a stylized 'K'.

Richard M. Klein

RMK/lab

cc: Michelle Bugbee, Esq.  
Enclosure

N:\SLD\20035\3B1C\LAB0275A.WPD

## FAY, SHARPE, FAGAN, MINNICH &amp; MCKEE, LLP

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ALBERT P. SHARPE, III  
1989-2001

October 4, 2001

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OCT 05 2001

GROUP 3700

LaShawn Morgan  
U.S. Patent and Trademark Office  
Washington, D.C. 20231

RE: U.S. Patent Application Serial No. 09/776,278  
For: IMPROVED MULTI-LAYER GOLF BALL  
Attorney Docket No. P-3724-2-F1-C1-C1  
Our Reference No. SLD 2 0035-3-3-1-1

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10/05/2001 LMORGAN 00000001 060308 09776278

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LaShawn Morgan  
U.S. Patent and Trademark Office  
October 4, 2001  
Page 2

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Very truly yours,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP



Richard M. Klein

RMK/lab

cc: Michelle Bugbee, Esq.  
Enclosure

N:\SLD\2003\381C\LAB0275A.WPD

## Fee Status

(37 CFR 1.20(a) and 37 CFR 1.321)

☒ other than a small entity -- fee \$110.00☐ small entity--fee \$55.00☐ verified statement attached☐ verified statement filed on \_\_\_\_\_

## Fee Payment

☐ Attached is a check in the sum of \$ \_\_\_\_\_☐ The fee for this Disclaimer was previously paid on : \_\_\_\_\_☒ Charge Account 17-0150 for any fee deficiency required by this paper.  
^ or 06-0308 (Rule 10/4/2001)☒ Charge Account 17-0150 the sum of \$110.00. A duplicate of this disclaimer is☒ attached.

## Declaration

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Spalding Sports Worldwide, Inc.

Date: 9/4/2001

By: Richard M. Klein (Rule 10/4/2001)  
Richard M. Klein, Counsel  
Reg. No. 33,000  
Fay, Sharpe, Pagan, Minnich & McKee, LLP  
1100 Superior Avenue, Seventh Floor  
Cleveland, OH 44114-2518

(Terminal Disclaimer to Obviate a Double Patenting Rejection (37CFR 1.321(b))

(9-4)-page 4 of 4)

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OCT 05 2001

GROUP 3700

DATE:	October 4, 2001
TO:	U.S. Patent and Trademark Office
ATTENTION:	LaShawn Morgan
FACSIMILE NO.:	703-305-3579 3711
FROM:	Richard M. Klein
RE:	U.S. Patent Application No.09/776,278 Attorney Docket No. P-3724-2-F1-C1-C1 Our Reference No. SLD20035-3-3-1-1-1

Total number of pages (including this cover sheet): 4

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